

HON'BLE SRI JUSTICE A. GOPAL REDDY
AND
HON'BLE SRI JUSTICE G.V.SEETHAPATHY

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WRIT PETITION No.25573 OF 2007

DATE: 20.12.2007

Between:

Smt. Manupati Nagendramma

..... PETITIONER

AND

The Station House Officer,
Kandukuru Police Station,
Prakasam District
& Another.

.....RESPONDENTS

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HON'BLE SRI JUSTICE A. GOPAL REDDY
AND
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WRIT PETITION No.25573 OF 2007

ORDER: (Per Hon'ble Sri Justice A.Gopal Reddy)

The telegram sent by the petitioner to the Hon'ble Chief Justice,

dated 18.11.2007 alleging that her grand-son's wife Madhavi @ Narasamma and her parents Malla Narasimha Rao, Venkata Ramanamma and Venkatayamma and Ankarao were taken into custody on 12.11.2007 by police of Kandukur and since then they are illegally detained and she is apprehending danger to their lives, was taken up as a writ petition.

The first respondent, Sub-Inspector of Police, Kandukuru Town Police Station filed a counter affidavit denying the detention of madhavi @ Narasamma and her parents and others either on 12.11.2007 or any subsequent date and further stated that the original names of alleged detenu Nos.2 and 3 are Bulleti Narasimha Rao and Bulleti Venkataratnam and the alleged detenu Nos.1, 2 and 3 are the accused Nos.1,2 and 3 in Crime No.157 of 2007 for the offence under Sections 379, 114 and 212 IPC of Addanki Police Station that was registered on 8.11.2007 on the basis of complaint lodged by one Penteyala Madanmohan Rao. In connection with the said crime, the alleged detenus were arrested on 18.11.2007 and subsequently they were produced before the Additional Munsif Magistrate, Addanki on the same day for their remand. On such production, the learned Magistrate remanded them to judicial custody and later they were enlarged on regular bail, however, the alleged detenu No.2 is still in judicial remand. It is stated that the alleged detenu No.5 viz., Anka Rao is very much available in Piduguralla village and his statement has been recorded by the Mandal Executive Magistrate, Piduguralla on 11.12.2007. The said statement of alleged detenu No.5 is enclosed along with the counter, which discloses that the alleged detenus were never detained by the police. In the said statement he stated that he is not aware of the person by name Venkayamma, the

alleged detenu No.4.

In the light of the counter averments and the statement of alleged detenu No.5 recorded by the Tahsildar of Piduguralla Mandal, dated 11.12.2007, it can be presumed that the telegram sent by the petitioner is with a view to stall the investigation into the crime registered against the alleged detenus.

The Writ Petition is dismissed. No order as to costs.

A. GOPAL REDDY, J.

20th DECEMBER, 2007
SEETHAPATHY, J.
Tsr.

G.V.